

REMARKS

Applicants wish to thank the Examiner for the allowance of claims 26 to 28 and for the indication that claims 3 and 14 – 24 would be allowed if rewritten in independent form. Applicants have amended claim 1.

Claims 1, 2, 4-13, and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over Spears et al (U.S. Patent No. 5,288,728) in view of Honeycutt (U.S. Patent No. 5,275,509). Applicants respectfully traverse this rejection. Applicants have argued in detail in the Response dated 10/3/02 the importance of combining the waste bleach solution and the waste developer solution prior to contacting the resulting developer/bleach waste solution with any of the silver bearing solutions. The developer and the bleach solution must be combined first in order to sufficiently oxidize the reduced developing agent. The specification makes this clear at page 5, line 17, where it is stated that "Therefore, in order to be assured that there is sufficient bleaching agent in its oxidized form to convert the reduced developing agent to its oxidized form requires that these (sic) color developer solution and the bleach solution be mixed together before combining with the other process waste streams coming from the fixer and rinse steps. In particular, mixtures of the fixer solution react with the bleaching agent to convert it to iron(II) thereby lowering the available iron(III) to effect complete oxidation of the color developing agent. Incomplete oxidation of the color developer results in a toxic solution."

Applicants have argued that Spears is mainly directed at precipitating silver from a mixture of seasoned photographic solutions and does not address the issue of managing the waste developer solution. At column 3, line 55, Spears states that the seasoned solutions can comprise combined minilab effluent solutions such as a combined fixer, bleach fixer, stabilizer, and bleach solution. Spears does also state that the combined solutions can include a seasoned developer solution. Spears, however, provides no guidance as to the order in which the solutions must be mixed or combined and, in fact, appears to indicate that they can all just be mixed together. Additionally, Spears tends to teach away from including seasoned developer by teaching that when seasoned developer is present, it can result in a larger complex particle size, longer complex settling times, and more flocculent. The examples in Spears do not contain any seasoned developer, and

the claims of Spears do not include seasoned developer as one of the seasoned photoprocessing solutions. Therefore, one looking to Spears for guidance would first not be inclined to include a seasoned photographic developer in the combined seasoned processing solutions; and secondly, would certainly be unlikely to combine the seasoned developer with the seasoned bleach solution prior to combination with the other seasoned processing solutions.

The Examiner has stated that Applicants' claims do not preclude the presence of other solutions, in addition to developer and bleach, in the liquid undergoing treatment, due to the "comprising" language in claim 1; and therefore, the fact that Spears treats a liquid containing such other solutions is not deemed to be persuasive of patentability. To address the Examiner's concern, Applicants have amended claim 1 to make it clear that it is only the developer and the bleach solutions which are mixed to make the developer/bleach waste solution. It is the resulting developer/bleach waste solution that is then mixed with the low silver waste solution.

In light of the above remarks, Applicants respectfully request that all of the claims as filed be allowed.

Attached hereto is a marked up version of the changes made to the claims by the current amendment. The attached page(s) is captioned "**Version With Markings To Show Changes Made.**"

Respectfully submitted,

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Version With Markings to Show Changes Made

In the Claims:

Claim 1 has been amended as set forth below:

1. (Once Amended) A method of disposing of photographic silver halide processing solutions including developer solution, bleach solution and at least one silver bearing solution comprising a) combining only the developer and bleach solutions to oxidize the developing agent in the developer and form a developer/bleach waste solution, b) treating the silver bearing solution(s) to reduce the silver ion level and form a low silver waste solution; and c) contacting the developer/bleach waste solution and the low silver waste solution with an absorbent material to form an apparently dry waste material having a leachable silver ion level below 5 ppm.